

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

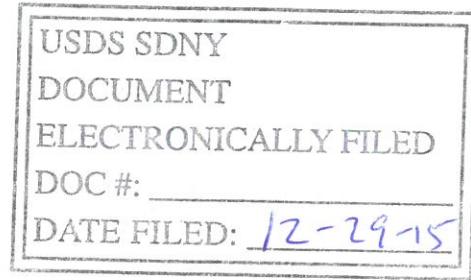
TODD J. BIEDERMAN, *individually and on
behalf of all others similarly situated,*

Plaintiff,

-v-

BALTIC TRADING LIMITED, *et al.,*

Defendants.



No. 15-cv-3711 (RJS)
ORDER

RICHARD J. SULLIVAN, District Judge:

Nearly eight months have passed since Plaintiff commenced this action on May 14, 2015 by filing the Complaint. (Doc. No. 1.) On December 21, 2015, in light of the fact that Plaintiff failed to serve Defendants within 120 days of filing the Complaint, the Court issued an Order stating that this action would be dismissed for failure to prosecute unless, by December 24, 2015, Plaintiff filed proof of service with the Clerk of the Court or showed cause why a further extension of time for service was warranted pursuant to Federal Rule of Civil Procedure 4(m). (Doc. No. 3.) Even though this Court-ordered deadline has come and gone, Plaintiff has done nothing. Accordingly, IT IS HEREBY ORDERED THAT this case is dismissed in its entirety without prejudice for failure to prosecute. *See* Fed. R. Civ. P. 4(m) ("If a defendant is not [timely] served . . . , the court – on motion or on its own after notice to the plaintiff – must dismiss the action without prejudice against that defendant."). The Clerk of the Court is respectfully requested to close this case.

SO ORDERED.

Dated: December 29, 2015
New York, New York

A handwritten signature in blue ink, appearing to read "R. J. Sullivan".

RICHARD J. SULLIVAN
UNITED STATES DISTRICT JUDGE